

AMENDED PROPOSED REGULATORY TEXT

Proposed additions are indicated by underline and deletions are indicated by ~~strikethrough~~.

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS
DIVISION 2. BOARD OF PAROLE HEARINGS ~~PRISON TERMS~~
CHAPTER 6. PAROLE REVOCATION
ARTICLE 7. WARRANTS OF ARREST

15 CCR § 2714 to read as follows:

§ 2714. Warrants Entered Into State and National Warrant Systems.

~~(a) California System. All warrants issued pursuant to §§ 2711 and 2712 for parolees whose whereabouts are unknown shall be entered in the California warrant system (Wanted Persons System).~~

~~(b) National Warrant System.~~

~~(1) Criteria for Entering Warrant in National System. Warrants issued pursuant to §§ 2711 and 2712 for parolees whose whereabouts are unknown shall be reviewed by the board at the central office calendar to determine if the warrant should be entered in the national warrant system (National Crime Information Center "NCIC"). The factors to consider in determining whether to enter the warrant in NCIC include whether the parolee:~~

~~(A) Has a history of prior felony convictions for crimes of violence or for offenses involving weapons, great bodily injury, or sexual assaults;~~

~~(B) Is wanted by other state agencies;~~

~~(C) Was on parole from a term imposed for a violent crime or for multiple offenses;~~

~~(D) May remain on parole at least three months considering the amount of time his parole period can be extended;~~

~~(E) Was suspected of having committed other offenses at the time he absconded;~~

~~(F) Has family, employment, or residential ties with California;~~

~~(G) Is likely to have absconded to another state;~~

~~(H) Might be accepted for supervision in another state.~~

~~The board shall consider any other relevant information, including the expense of returning a parolee to California.~~

~~Whenever the board enters a warrant into the NCIC, the board's suspension order shall indicate the specific reasons the warrant has been entered in that system and include an action to return the parolee to California for revocation proceedings.~~

~~(a2) Execution of Warrant When the Parolee has Absconded. When a parolee is arrested outside of California pursuant to a warrant issued by the board, the matter shall be reviewed by the board for discharge of parole. the warrant is executed, the parolee shall be returned to California for revocation proceedings (see Chapter 6, Article 7) The board's review shall include consideration of whether ~~unless~~ there are specific circumstances and substantial reasons that indicate a return would not be in the interests of justice. If the board does not discharge parole, the parolee shall be extradited pursuant to the warrant.~~

~~(b3) Purging Warrants. If a~~ the warrant issued by the board has not been executed five years after entering it in the National Crime Information Center (NCIC), the board shall review the case. If no other jurisdictions have issued warrants since the board issued its warrant, the board shall remove the warrant from the NCIC, unless reasons are stated for retaining the warrant.

Note: Authority cited: Sections 3052 and 5076.2, Penal Code. Reference: Sections 3000, 3060, and 11177, Penal Code.